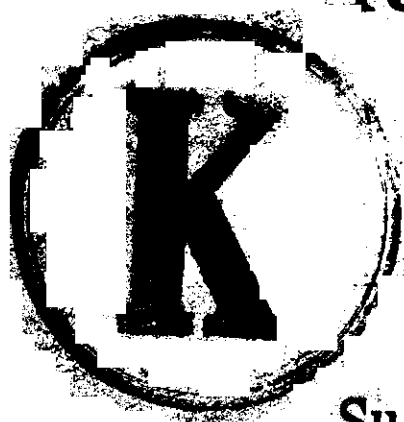




1944

File No. *B. Increase
of Stamp Duties*
Legal Deptt 44

3 BRANCH

Subject:— Governor's Bill No XX of 1944

A Bill to amend the Bombay
Increase of Stamp Duties Act 1943

Bomb. Act. No XIX of 1944

E
page-5
1944

File No.

*B. Increase of Stamp
Duties 44*

Gen. 194 e.

582-B

Revised drafts of Bill and Statement are sent herewith.

2. The subject-matter of the Bill falls under entries 51 and 37 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in the Concurrent List, it is not necessary to reserve it for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935, or paragraph (2) of the Proclamation. Under executive instructions the Bill requires the concurrence of the Governor General.

Sd/-P.N.M.
7-11-44

Remembrancer of Legal Affairs.

U.R. to F.D., No. 7740 , dated the 7th November 1944.

S.C. 13/7

4 copies

66/25/1

No. 8979
Legal Department.
Bombay Castle, 20th December 1944.

Very urgent.

From

P.N. Moos, Esquire, Bar-at-law, I.C.S.
Secretary to the Governor of Bombay.

To

The Secretary to the Governor of Bombay

Subject :- A Bill to amend the Bombay
Increase of Stamp Duties Act,
1943.

Sir,

With reference to your memorandum No. 201(94), dated the 12th December 1944, addressed to the Finance Department on the above subject, I am directed to forward therewith for the assent of His Excellency the Governor a copy of the Bill to ~~amend~~ amend the Bombay Increase of Stamp Duties Act, 1943, prepared by His Excellency the Governor under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. None of the Provisions of the Bill affects any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or falls within the purview of clause (a) (b), (c) or (d) of paragraph XVII of the Instrument of Instructions to the Governor of Bombay.

3. The subject-matter of the Bill falls under entries 51 and 37 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve it for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935, and paragraph (2) of the Proclamation.

4. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

5. I also forward herewith one spare copy of the Bill.

Your obedient servant.

Sd/- P. N. M.
20/12/44.

Secretary to the Government of Bombay.
Legal Department.

Through.

The Joint Secretary to the Government of Bombay
Finance Department.

No. 201(94)
Office of the Governor(s Secretary
Government House,

From

D. Symington, Esquire, CIE, ICS.
Secretary to the Governor of Bombay.

To

The Secretary to Government,
Legal Department, Bombay,
Bombay, 14th December 1944.

Subject :- A Bill to amend the Bombay Increase
of Stamp Duties Act, 1943..

Sir,

With reference to your letter No. 8979, dated the 20th December 1944, I am directed to return herewith the copy of the Bill to amend the Bombay Increase of Stamp Duties Act, 1943, prepared by His Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph, His Excellency the Governor is pleased to declare that he assents to the Bill in the name of ~~the~~ His Majesty.

Your obedient Servant.

Sd/-

Secretary to the Governor of
Bombay.

S.C. 13/7
4 copies.

Acts.

Publication of the Bombay Increase of Stamp Duties (Amendment) Act, 1944.

GOVERNMENT OF BOMBAY.

Legal Department. Resd. N. 9097
Bombay Castle, 28th December 1944.

Letter to the Secretary to the Governor, No. 8979, dated the 20th December 1944.

Letter from the Secretary to the Governor, No. 201(94), dated the 26th December 1944.

"With reference to your letter No. 8979, dated the 20th December 1944, I am directed to return herewith the copy of the Bill to amend the Bombay Increase of Stamp Duties Act, 1943, prepared by His Excellency the Governor under paragraph (2) of the proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph, His Excellency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty.

Resolution :- The law should be published as Bombay Act No. XIX of 1944, in the Bombay Government Gazette dated the 28th December 1944.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devanagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Finance Department.

By order of the Governor of Bombay.

) P.N. Moos,
For) Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 15 gazette copies of the Act may be forwarded to the Legal Department.

The Finance Department,

The Oriental Translator to Government,

The Secretary to the Bombay Legislative Council,

The Secretary to the Bombay Legislative Assembly)

) with a
) copy of
) the Act

*with five extra copies.



The Bombay Government Gazette

PUBLISHED BY AUTHORITY

THURSDAY, 23TH DECEMBER 1944.

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

CONTENTS.

	PAGES
BOMBAY ACT No. XIX OF 1944—An Act to amend the Bombay Increase of Stamp Duties Act, 1943	272-273

The following Act made by the Governor of Bombay in exercise of the powers vested in him by virtue of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, having been assented to by him on the 23rd December 1944 is hereby published for general information.

P. N. MOOS,

Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XIX OF 1944.

(First published, after having received the assent of the Governor in the "Bombay Government Gazette on the 28th December 1944.)

An Act to amend the Bombay Increase of Stamp Duties Act, 1943.

WHEREAS it is expedient to amend the Bombay Increase of Stamp Duties Act, 1943, for the purpose hereinafter appearing;

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

NOW, THEREFORE, in exercise of the said powers the Governor of Bombay is pleased to make the following Act:—

Short title
and com-
mencement.

1. (1) This Act may be called the Bombay Increase of Stamp Duties (Amendment) Act, 1944.

(2) It shall come into force on the 1st day of January 1945.

Substitution
of new Sched-
ule for Sched-
ule annexed
to Bom. XIV
of 1943.

2. For the Schedule annexed to the Bombay Increase of Stamp Duties Act, 1943, the following Schedule shall be substituted, namely: Bom. XIV of 1943.

" SCHEDULE.

Rates of Surcharge.

Amount of stamp duty	Rate of surcharge.
(1) A fraction of a rupee not exceeding 1 anna ...	... $\frac{1}{2}$ anna.
(2) A fraction of a rupee exceeding 1 anna but not exceeding 2 annas ...	... 1 anna.
(3) A fraction of a rupee exceeding 2 annas but not exceeding 4 annas ...	... 2 annas.
(4) A fraction of a rupee exceeding 4 annas but not exceeding 8 annas ...	... 4 annas.
(5) A fraction of a rupee exceeding 8 annas ...	... 6 annas.
(6) A whole rupee ...	... 8 annas."

STATEMENT.

All stamp duties leviable under the Indian Stamp Act, 1899 (in its application to the Province of Bombay), except those leviable in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts, were increased by a surcharge at the rates specified in the Schedule annexed to the Bombay Increase of Stamp Duties Act, 1943. It is, however, felt that in certain cases the rates of surcharge in the said Schedule are unduly high as compared with the duties leviable under the principal Act, and they should be suitably reduced. A revised Schedule is accordingly substituted by this amending Act.

" True copy - Original papers being of bad quality - Destroyed."

K. J. Belawhar

Superintendent,
B Branch, Legal Department